

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

ANTHONY ANTWON MCNAIR JR.,

Defendant

CRIMINAL NO. DLB-22-199

(Felon in Possession of a Firearm and
Ammunition, 18 U.S.C. § 922(g)(1);
Possession with Intent to Distribute
Fentanyl, 21 U.S.C. § 841(a)(1),
(b)(1)(B); Possession of a Firearm in
Furtherance of a Drug Trafficking
Crime, 18 U.S.C. § 924(c); Forfeiture,
18 U.S.C. § 924(d), 21 U.S.C. § 853, 28
U.S.C. § 2461(c))

SUPERSEDING INDICTMENT

COUNT ONE

(Felon in Possession of a Firearm and Ammunition)

The Grand Jury for the District of Maryland charges that:

On or about April 21, 2022, in the District of Maryland, the defendant,

ANTHONY ANTWON MCNAIR JR.,

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition—that is, a Glock Model 21SF .45 caliber pistol and approximately nine rounds of .45 caliber ammunition—and the firearm and ammunition were in and affecting commerce.

18 U.S.C. § 922(g)(1)

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COUNT TWO
(Possession with Intent to Distribute Fentanyl)

The Grand Jury for the District of Maryland further charges that:

On or about April 21, 2022, in the District of Maryland, the defendant,

ANTHONY ANTWON MCNAIR JR.,

knowingly possessed with the intent to distribute 40 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1- (2-phenylethyl)-4-piperidinyl] propenamide (“fentanyl”), a Schedule II controlled substance.

21 U.S.C. §§ 841(a)(1), (b)(1)(B)

COUNT THREE

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury for the District of Maryland further charges that:

On or about April 21, 2022, in the District of Maryland, the defendant,

ANTHONY ANTWON MCNAIR JR.,

knowingly possessed a firearm—that is, a Glock Model 21SF .45 caliber pistol—in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a fentanyl, in violation of 21 U.S.C. § 841, as charged in Count Two of this Superseding Indictment and incorporated here.

18 U.S.C. § 924(c)

FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Fed. R. Crim. P. 32.2, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. § 924(d), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c), in the event of the defendant's conviction under Counts One through Three of this Superseding Indictment.

Firearm and Ammunition Forfeiture

2. Upon conviction of any of the offenses set forth in Counts One and Three of this Superseding Indictment, the defendant,

ANTHONY ANTWON MCNAIR JR.,

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the offenses.

Narcotics Forfeiture

3. Upon conviction of the offense set forth in Count Two of this Superseding Indictment, the defendant,

ANTHONY ANTWON MCNAIR JR.,

shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), (a) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense, and (b) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

Property Subject to Forfeiture

4. The property to be forfeited includes, but is not limited to, the following:
- a. a Glock Model 21SF .45 caliber pistol bearing serial number WDE713;
 - b. approximately eight rounds of Blazer .45 caliber ammunition; and

- c. approximately one round of Speer .45 caliber ammunition.


Substitute Assets

5. If, as a result of any act or omission of the defendant, any such property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), shall be entitled to forfeiture of substitute property up to the value of the forfeitable property.

18 U.S.C. § 924(d)
21 U.S.C. § 853
28 U.S.C. § 2461(c)


Erek L. Barron
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Coreperson

Date: July 7, 2022